

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

USDC Docket Number : 05-cv-11353

Kevin Norris

v.

Steven O'Brien

**CLERK'S CERTIFICATE**

I, Sarah A. Thornton, Clerk of the United States District Court for the District of Massachusetts, do hereby certify that the annexed documents numbered:

1-4, 6-14

and contained in Volume(s) I are the original or electronically filed pleadings and constitute the record on appeal in the above entitled case for the Notice of Appeal filed on 6/31/2006.

In testimony whereof, I hereunto set my hand and affix the seal of this Court on September 8, 2006.

Sarah A Thornton, Clerk of Court

By:

Deputy Clerk

Receipt of the documents in the above entitled case is hereby acknowledged this date: 9/11/06.

D. Burchard  
Deputy Clerk, US Court of Appeals

Please complete the following information:

COURT OF APPEALS DOCKET NUMBER ASSIGNED: \_\_\_\_\_

APPEAL

**United States District Court  
District of Massachusetts (Boston)  
CIVIL DOCKET FOR CASE #: 1:05-cv-11353-MLW**

Norris v. O'Brien  
Assigned to: Chief Judge Mark L. Wolf  
Cause: 28:2254 Petition for Writ of Habeas Corpus (State)  
Date Filed: 06/27/2005  
Jury Demand: None  
Nature of Suit: 530 Habeas Corpus (General)  
Jurisdiction: Federal Question

**Petitioner**

**Kevin Norris**

represented by **Kevin Norris**  
NCCI  
P.O. Box 446  
Gardner, MA 01440  
PRO SE

V.

**Respondent**







**Steven O'Brien**  
*Superintendent, North Central  
Correction Institution*

represented by **Cathryn A. Neaves**  
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 LEAD ATTORNEY  
 ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
06/27/2005	<u>1</u>	PETITION for writ of habeas corpus pursuant to 28:2254 § 5, receipt number 65255, filed by Kevin Norris. (Attachments: # <u>1</u> Civil Cover Sheet)(Boyce, Kathy) (Entered: 06/29/2005)
06/27/2005	<u>2</u>	Application for Leave to Proceed in forma pauperis by Kevin Norris, FILED.(Boyce, Kathy) (Entered: 06/29/2005)
06/27/2005		● If the trial Judge issues an Order of Reference of any matter in this case to a Magistrate Judge, the matter will be transmitted to Magistrate Judge Alexander. (Boyce, Kathy) (Entered: 06/29/2005)
06/30/2005	<u>3</u>	Judge Mark L. Wolf : ORDER entered. SERVICE ORDER re 2254 Petition. Order entered pursuant to R.4 of the Rules governing Section 2254 cases for service on respondents. Answer/responsive pleading due w/in 20 days of rcpt of this order.(O'Leary, Dennis) (Entered: 07/01/2005)
06/30/2005		● Judge Mark L. Wolf : Electronic ORDER entered finding as moot <u>2</u> Motion for Leave to Proceed in forma pauperis (O'Leary, Dennis) (Entered: 07/01/2005)
07/26/2005	<u>4</u>	MOTION to Dismiss Petition for Writ of Habeas Corpus as Time-Barred by Steven O'Brien, FILED, c/s.(Boyce, Kathy) (Entered: 08/01/2005)
07/26/2005	<u>5</u>	MEMORANDUM OF LAW in Support of <u>4</u> MOTION to Dismiss filed by Steven O'Brien, c/s. (Boyce, Kathy) Additional attachment(s) added on 5/8/2006 (Boyce, Kathy). (Entered: 08/01/2005)
08/09/2005	<u>6</u>	Opposition to <u>4</u> MOTION to Dismiss filed by Kevin Norris, c/s. (Boyce, Kathy) (Entered: 08/11/2005)
11/09/2005	<u>7</u>	NOTICE of Appearance by Jonathan M. Ofilos on behalf of Steven O'Brien (Ofilos, Jonathan) (Entered: 11/09/2005)
05/24/2006	<u>8</u>	Opposition to <u>4</u> MOTION to Dismiss filed by Kevin Norris, c/s. (Attachments: # <u>1</u> Exhibit 1-3)(Boyce, Kathy) (Entered: 06/02/2006)

06/26/2006	 9	Judge Mark L. Wolf : MEMORANDUM and ORDER entered granting <u>4</u> Motion to Dismiss (O'Leary, Dennis) (Entered: 06/27/2006)
06/27/2006	 10	Judge Mark L. Wolf : ORDER entered. JUDGMENT in favor of Steven O'Brien against Kevin Norris(O'Leary, Dennis) (Entered: 06/27/2006)
06/27/2006	 11	MOTION for Discovery by Kevin Norris. (Attachments: # <u>1</u> ), FILED, c/s.(Boyce, Kathy) (Entered: 06/30/2006)
07/31/2006	 12	MOTION for Certificate of Appealability by Kevin Norris, FILED, c/s.(Boyce, Kathy) (Entered: 08/03/2006)
07/31/2006	 13	AFFIDAVIT of Kevin Norris re <u>12</u> MOTION for Certificate of Appealability by Kevin Norris, FILED. (Attachments: # <u>1</u> Attachments to Affidavit of Petitioner)(Boyce, Kathy) (Entered: 08/03/2006)
07/31/2006	 14	NOTICE OF APPEAL as to 10 Judgment, 9 Order on Motion to Dismiss by Kevin Norris. NOTICE TO COUNSEL: A Transcript Report/Order Form, which can be downloaded from the First Circuit Court of Appeals web site at <a href="http://www.ca1.uscourts.gov/clerks/transcript.htm">http://www.ca1.uscourts.gov/clerks/transcript.htm</a> MUST be completed and submitted to the Court of Appeals. Appeal Record due by 8/21/2006. (Boyce, Kathy) (Entered: 08/03/2006)